UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.386
3 June 1997

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Fifteenth session

SUMMARY RECORD OF THE 386th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 29 May 1997, at 10 a.m.

Chairperson: Miss MASON

CONTENTS

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.97-16807 (E)

The meeting was called to order at 10.15 a.m.

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES (agenda item 7)

1. The CHAIRPERSON invited the representatives of the bodies and agencies attending the meeting to make statements.

2. Ms. MARSHALL (Office of the United Nations High Commissioner for Refugees), said that more than half of the world's refugees were children and that women and children together were estimated to account for about 80 per cent of the total. UNHCR publications which she proposed to circulate to the members of the Committee included Refugee Children: Guidelines on Protection and Care, the chapters of which were based on articles of the Convention on the Rights of the Child, and Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum, which was targeted at the developed world and comprised two sections, one dealing with children who were found to qualify for asylum and the other with the more difficult case of children who did not qualify and whose best interests required special protection.

3. The UNHCR Senior Coordinator for Refugee Children, who was scheduled to meet the Committee for discussions after the session, would concentrate on follow-up to the Study on the Impact of Armed Conflict on Children, which had been prepared by the expert of the Secretary-General of the United Nations, Ms. Graça Machel.

4. Interaction with the Committee was viewed as mutually beneficial. From its network of operational field offices UNHCR transmitted information to the Committee on the implementation of the Convention in States parties. It provided a legal overview of the country, described the situation of refugees and asylum-seekers, giving separate figures for children, and drew attention to issues of concern to UNHCR. It also occasionally suggested topics for discussion with the State party delegation, for example the policy in Australia of detaining all asylum-seekers, including children.

5. The information furnished by UNHCR to the Committee was confidential and should not be shared with the State party in its written form. Moreover, questions based on the material should not reveal the source, because UNHCR field offices operated their own strategies when it came to raising issues with the Governments concerned. UNHCR staff members who attended the Committee's sessions reported back to the UNHCR field offices on the discussions with State parties and the Committee's concluding observations, and urged them to use that material to promote children's rights in the countries concerned.

6. Ms. OGUN BASSANI (United Nations Children's Fund) said that a UNICEF mission statement issued in January 1996 had stated that UNICEF should be guided in its work by the principles and standards contained in the Convention on the Rights of the Child. A document recently approved by UNICEF's Executive Board, entitled A Review of UNICEF Policies and Strategies on Children in Need of Special Protection, highlighted areas such as juvenile justice, sexual exploitation, disability and child labour, which required

increased UNICEF attention. A follow-up document outlined a strategy to protect children from such evils as exploitation, violence, abuse and abandonment. A resource guide on reporting to the Committee on the Rights of the Child had been sent to all UNICEF field offices.

7. A number of important recommendations made in the Study on the Impact of Armed Conflict on Children were being used as guidelines by UNICEF, whose Executive Director had recently called for implementation of the recommendation for the establishment of an international criminal court and a permanent prosecutor's office to deal with atrocities committed against children.

8. The Action Plan adopted by the 1996 World Congress against Commercial Sexual Exploitation of Children was being used by UNICEF country offices to promote action by Governments and other partners to address that problem.

9. UNICEF organized workshops and briefings for Governments and NGOs at the national, subregional and regional levels to assist them in preparing country reports for the Committee. Twelve countries from East and Southern Africa had attended the most recent workshop held in Swaziland. Children themselves had been given the opportunity to comment on the draft country report at a National Children's Seminar on the Convention held in Nepal.

10. UNICEF field officers had been encouraged to participate in meetings of the Committee's pre-sessional working group and in meetings of the Committee itself. In some cases, there had been direct follow-up to the Committee's concluding observations. That had been the case in Namibia, where technical assistance had been provided in the area of juvenile justice. Detailed guidance on the preparation of situation analyses relating to the Convention would be developed in the coming months.

11. The 1997 Innocenti Global Seminar organized by the UNICEF International Child Development Centre for staff training in Florence would focus on juvenile justice. The State of the World's Children report would deal with the right to adequate nutrition. The UNICEF Implementation Handbook for the Convention on the Rights of the Child would be published by the end of 1997 and should be a useful tool for Governments, NGOs and other bodies.

12. Mr. PICARD (International Labour Organization), said that ILO was interested in implementation of the Convention in the areas related to its terms of reference which were covered by international labour standards. He drew attention to article 32 of the Convention, which referred to economic exploitation of children and which required States parties to have regard to the relevant provisions of other international instruments. The Committee could make use of the observations of the ILO bodies monitoring implementation by States parties of conventions concerning child labour when urging Governments to ratify international labour conventions, in particular Convention No. 138 concerning the Minimum Age for Admission to Employment, and to ensure stricter application of those already ratified. It was therefore important to keep the channels of communication open between the Committee and the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR).

13. New ILO instruments were scheduled for adoption in 1998 and 1999. The Committee had been formally consulted in January 1997 and had given its observations on the new instruments in the report on its fourteenth session. Those observations would be transmitted to and taken into consideration by the bodies concerned.

14. In the case of the monitoring bodies, the work of the Committee on the Rights of the Child was reflected in the general report published by CEACR each year and in the observations sent to individual States on the application of specific ILO conventions.

15. In its reports and discussions concerning child labour the ILO Governing Body had made increasingly frequent reference in the past two years to the Committee and its recommendations. Tripartite technical meetings also took account of the work of the Committee and of the need to establish even closer links with it. It was also considered important to inform Governments and employers' and workers' organizations, through the respective ILO offices, of the recommendations the Committee had made to the countries concerned, and in general to involve both sides of industry in the matter of child labour and to oblige them to act.

16. With regard to technical cooperation activities, he said that the objectives of the International Programme on the Elimination of Child Labour (IPEC), which had begun in 1992, were to contribute to the abolition of child labour by increasing the capacities of countries to deal with the problem and to create a worldwide movement to combat it. Its priority target groups were children in slavery, those working in hazardous employment and those who were especially vulnerable, specifically girls and all children under the age of 12. IPEC based all its action on the political will and determination of Governments to combat the exploitation of child labour in collaboration with employers' and employees' organizations and NGOs. From the outset countries were obliged to assume clear responsibilities through the signing of a memorandum of understanding that set out the programme's objectives and the context in which it would be executed. Documentation relating to IPEC's multisectoral strategy could be furnished to the Committee.

17. In its first two years IPEC had implemented 155 action programmes, chiefly with NGOs; by 1994-1995 the number of programmes had reached 447. Twenty-six countries were currently participating in the programme, and another 15 were preparing to do so. The number of IPEC donors was increasing steadily: they now included 13 individual States and the European Union.

18. Cooperation between ILO and the Committee had been very positive, but it was certainly possible to improve it and to do even more to achieve their common objective of protecting the rights of the child.

19. Mr. ROBINSON (World Health Organization) said that WHO was a technical agency whose programmes had a direct bearing on the Convention that related especially to child mortality and morbidity rather than to development. The Organization provided a technical and normative background to activities in support of national health services, which were carried out partly with support from WHO but to a larger extent in collaboration with other agencies, especially UNICEF and, more recently, the World Bank.

20. The WHO activity which had perhaps produced the greatest change in infant and young child mortality had been the immunization programme, under which the organization's role had concerned the development of technology, vaccines, support to vaccine research and strong technical involvement with its partners in implementation in a large number of countries. The fact that most countries now had immunization programmes was largely due to the efforts of UNICEF. Immunization coverage throughout the world had risen dramatically, and had probably been the major health intervention reducing child mortality in the past 10 or 15 years. There would be further development as work on new vaccines and new technologies progressed.

21. In the area of nutrition, WHO's role had been largely of a research and normative nature; it had been less involved with direct support to countries, except in respect of breastfeeding where it had provided strong technical support to ensure that the value of breastfeeding was made known to families and communities. The effect breastfeeding had on child survival and life and on the mother-child bond was immeasurable.

22. The psycho-social development of the child was an area in which WHO had perhaps not done enough, because, while it was fairly easy to measure, there was at present little that could be done in practical terms. The attitude had tended to be that if children were kept alive and moderately healthy they had a fighting chance of enjoying good psycho-social development.

23. The need to control childhood diseases was emphasized in the Convention on the Rights of the Child. WHO had had considerable success in that area particularly in controlling diarrhoeal diseases through the development and introduction of oral rehydration therapy. As a result, diarrhoeal diseases were among the very few major childhood diseases, apart from the immunizable ones, that had shown a decline in the last decade.

24. Less successful, however, had been the control of acute respiratory infection, which called for much greater involvement of the different components of the health system. In the past few years WHO, in collaboration with UNICEF, had moved away from a technical focus on diarrhoeal diseases and acute respiratory infection towards what had come to be known as the integrated management of childhood illness. That approach had enabled the organization to support countries through technical interventions and, with its partners, to take a comprehensive look at diarrhoeal diseases, acute respiratory infection, measles, malaria and other causes of fever, malnutrition and other illnesses relevant to child morbidity and mortality. The result was a programme which focused on five major universal killer diseases and others which were of importance to particular countries. It considered what could be done in terms both of antibiotics and vaccines and what sort of health service was required to deliver that kind of care and what action the community had to take in order not only to derive advantage from the health service but also to prevent and manage childhood illnesses. It was a very broad programme which was developing rapidly in response to growing demand from countries.

25. WHO, being a technical agency, could achieve nothing without very close collaboration with funding and technical agencies and with bodies, such as the Committee on the Rights of the Child, which were able to keep child mortality

and morbidity issues at the forefront of international concern. One of the essential elements of the Convention was its provision for monitoring, which touched on health service development and capacities and on family and community practices, and furnished a very useful picture of health trends in individual countries. WHO was ready to provide technical support in the monitoring and reporting process, to refine it and make it more focussed, and to support those countries and groups that needed to react to information emerging from that process.

26. Ms. THEYTAZ-BERGMAN (NGO Group for the Convention on the Rights of the Child) explained that the Group was a coalition of 41 international non-governmental organizations most of which enjoyed consultative status with the Economic and Social Council of the United Nations. It had been formed in 1983 as the Informal Ad Hoc NGO Group for the Drafting of the Convention on the Rights of the Child. Although children's rights and child welfare were the primary focus of many of its members, they were in fact a minority; other members for whom the rights of the child were one aspect of a wider mandate were human rights organizations, religious organizations, educational associations and jurists' groups. Its members included very few development organizations, but it was hoped that the membership reflected the breadth of the Convention itself.

27. The NGO Group received funding from its members as well as from United Nations agencies and donor organizations. Its aims were to raise awareness of the Convention and make its implications known; to promote its full implementation; to be an active source of information for the Committee, concerned United Nations bodies and interested NGOs; to contribute to drawing up recommendations, policies and strategies in the fields of work of its sub-groups; to make available to the NGO community information, decisions and recommendations made by the Committee and other concerned United Nations bodies; and to facilitate the creation of NGO groupings for the conduct of joint activities. It had three sub-groups concerned, respectively, with sexual exploitation, child labour and refugee children and children in armed conflict. The Group's liaison work with the Committee was designed to ensure that the latter received reliable and objective information from NGO sources in all countries. The Group also funded the participation of national NGOs at the Committee's pre-sessional working group meetings.

28. Mr. FULCI said that the statement by the representative of ILO had been especially interesting in view of the active role that organization played in defending the rights of the child. Referring to the agreement signed between the Bangladesh Manufacturers Exporters Association, UNICEF, ILO and the Government of Bangladesh, under which children had been released from their jobs in the garment industry and had entered non-formal education institutes specially set up by NGOs, with scholarships to compensate for loss of earnings, he asked whether that solution had worked and whether it could be extended to other sectors in which children worked, in particular those in which the work was hazardous. He also asked whether the arrangement could be adapted to other countries where similar serious child labour situations existed.

29. Mr. PICARD (International Labour Organization) said that the agreement referred to, which was an example of good inter-agency cooperation, could

probably be extended to other economic sectors. ILO had recently signed an agreement, based on the same principles, under the auspices of the international football federation, FIFA, for the production of footballs in a region of Pakistan. As to whether it was feasible to apply the method to all export sectors, the problem was that much of the work done by children was contracted out and it was difficult to identify the enterprises that worked for export. The forthcoming session of the International Labour Conference would be discussing the adoption of instruments dealing with subcontracting and the issue of child labour would be considered in that context. As to whether agreements of the kind signed in respect of the Bangladesh garment industry were applicable in other countries, much depended on the political will of the Governments of those countries.

30. Mrs. MBOI said that she regretted the absence of a representative of UNESCO, education being such an important aspect of the rights of the child. Country reports had stated that child labour in the informal sector was both more important and more threatening than in the formal sector, and she would welcome more information on ILO's involvement in the informal sector, where it seemed to her that little could be done that would help. The representative of WHO appeared to have been referring in his statement mainly to younger children. Country reports, however, seemed to suggest that the greater risk and greater threat was that faced by older children, especially adolescents, in view of the impact on their health of violence, especially sexual violence, substance abuse, and sexually transmitted diseases and HIV/AIDS. She would welcome more information from the representative of WHO regarding the increasing health threats to adolescents.

31. Mr. FULCI asked whether ILO's Bangladesh programme was operating satisfactorily, and how it had been financed. In his view, what had been accomplished in Bangladesh should also be achievable in other countries; international public opinion should be mobilized on behalf of working children throughout the world.

32. Ms. OUEDRAOGO requested further information from UNICEF concerning the participation of children in the production of country reports. She would also like to know more about the training seminars offered by the Innocenti Centre, and requested that documentation concerning them be made available to the Committee. UNICEF's field training documents would also be of interest to the Committee.

33. She would be interested to know how ILO conducted its work in the field, and in particular how it cooperated with other agencies. That organization's approach seemed to her too calm. Increasing numbers of African women had to work in the informal sector to support their families; what measures were ILO taking to remedy that situation?

34. In her view, WHO should strengthen its cooperation not only with the Committee but with other agencies engaged in field work. Although progress had been made in the area of health care, much remained to be done. She asked WHO how it reconciled the need to strengthen its health-care programmes with the shortage of financial resources.

35. Mr. PICARD (International Labour Organization) said that the question of work in the informal sector was included in the mandate of ILO. The organization's immediate task in that regard was to secure adoption of international rules that would diminish the negative consequences of child labour. However, it also administered practical programmes, among them the International Programme on the Elimination of Child Labour (IPEC), an experimental programme that was currently operating in 26 countries. Plans were under way to introduce IPEC into Africa; one such operation was in a preparatory phase in Burkina Faso. The objective of IPEC was not to supplant the responsibility of Governments and national organizations, but to assist them in developing a national policy which could then be implemented with the help of ILO and other specialized agencies. Child labour resulted from poverty, but poverty also resulted from child labour; the vicious cycle must be broken.

36. The agreement that had been reached in Bangladesh was only partly satisfactory. When measures restricting child labour had been announced, employers had panicked, dismissing approximately 20,000 child employees overnight. There had been extensive media coverage, especially in the United States of America, hailing the abolition of child labour in the Bangladesh textile industry. But the dismissed children had taken to the streets, where they risked exposure to graver sorts of exploitation. UNICEF, ILO, an American NGO, and owners of Bangladesh textile factories had subsequently signed an agreement aimed at remedying that problem. The programme launched under that agreement had so far assisted 10,000 children, which did not necessarily suggest that 10,000 more required assistance. Some of the children in question, having grown older, could now legally work under Bangladesh law. The cost per child assisted was $7.50 per month. IPEC was funded by a number of countries, but that particular project in Bangladesh had been financed mainly from American sources, with participation by local factory owners.

37. At present, mobilizing both donors and public opinion was a relatively easy task. ILO was, however, increasingly convinced that child labour did not arise from international commercial competition, in which children in fact played a minor role, and that view was sure to discourage donors. Twenty years before, international bodies had shown no interest whatsoever in the problem of child labour.

38. Mr. ROBINSON (World Health Organization) said that WHO administered an adolescent health programme, which concentrated, inter alia, on substance abuse, sexuality, STDs and HIV, as well as on especially vulnerable adolescent groups. He would be glad to provide the Committee with detailed documentation on the subject.

39. Maternal mortality was an area of growing concern for WHO. If a woman suffered from a condition which would cause her to die in childbirth, only hospital care could help her. Unfortunately, that type of care was expensive and not readily accessible. The majority of the women who experienced difficulties in labour and delivery were small, unhealthy women with a life history of undernourishment, which was a broader development problem.

40. WHO had recently assessed the situation of children in health-care facilities who suffered from conditions from which they would die if referral services could not be arranged, and had found that 60 per cent of such children died.

41. He agreed that the Committee, and other international forums, should inform the world of the dimensions of the problem of child mortality: it was estimated that 12 million children died each year. Although that number was slowly falling, the incidence of child mortality had begun to show a redistribution in geographical and economic terms, with greater concentrations in Africa and among the very poor. Development and health-care resources should be reallocated so as to benefit those most in need.

42. The approach of WHO was based on cooperation with other bodies. There were no WHO country programmes as such; the organization provided technical support to national programmes. In recent years, efforts had been made to bring international donors and national agencies together under a national plan, so that the funds made available could be optimally applied. Unfortunately, donor objectives rarely included the child who needed care.

43. Mrs. MILLER (United Nations Children's Fund) said that UNICEF had involved children in its reporting process for the first time in Nepal. It was urging its country offices to encourage the participation of children in the formulation of reports, with the Nepalese case study as a model.

44. The Innocenti global seminars had been organized to familiarize UNICEF officers from field offices worldwide with emerging issues. The next seminar would take place in the coming autumn and UNICEF would gladly make the seminar documents available to the Committee.

45. After describing the training and advisory activities of UNICEF throughout the world, she said that the organization was working closely with WHO and UNFPA in the area of adolescent health, and in particular on sexual and reproductive health.

46. Mrs. MARSHALL (Office of the United Nations High Commissioner for Refugees) said that all UNHCR field staff participated in a people-oriented planning course designed to develop awareness of the ethnic and cultural traditions of refugee populations, as well as to the problems of vulnerable groups within such populations, such as women and children. Furthermore, all UNHCR field staff made use of Refugee children: Guidelines on protection and care, a text which was based on the principles embodied in the Convention on the Rights of the Child. In conjunction with other agencies, UNHCR had recently launched pilot programmes in human rights education, education for peace, and conflict-resolution, some for children and others for adults.

47. She agreed that coordination among agencies in the field should be strengthened. In fact, national and international NGOs, which received funding from UNHCR and other bodies, carried out most of the work that was done in refugee camps.

48. Mrs. CHIN YANG (International Programme on the Elimination of Child Labour) said that when a Government signed a memorandum of understanding with

IPEC, a national steering committee was then established, composed of representatives of the Government, of employers' and workers' organizations, and of NGOs. Its role was to establish, at the national policy level, the issues of greatest concern.

49. The programme placed emphasis on the rehabilitation of street children through education. It was also concentrating on collection and analysis of statistical data in the area of child labour in the informal sector. She agreed that, in an area such as the elimination of child labour, the political will of a country could be changed. IPEC was engaged in efforts to raise awareness throughout society, through such grass-roots organizations as worker and employer unions.

50. Ms. MOKHUANE inquired whether WHO consulted behavioural scientists in the matter of the psychosocial development of children, and whether its educational programmes attempted to raise awareness with regard to psychosocial issues affecting children, especially girls. She would also welcome further information concerning the efforts of WHO with regard to the impact of family and community practices on the health of children and in particular wished to know whether WHO had identified specific areas that required investigation. Did WHO conduct any mental health programmes for children?

51. Mr. RABAH said that as a new member of the Committee, he had some basic questions to raise. Firstly, he asked UNHCR whether its assistance to refugees was limited to food and clothing, or also included other items. He would also like to know whether UNHCR also assisted internally displaced groups. How did ILO differentiate between working children and street children, and how did it cooperate with Governments in assisting children in difficult circumstances? Finally, he would like to know how an organization became an NGO, and how NGOs were empowered to work with United Nations organs.

52. Ms. SARDENBERG said that the information provided by the representatives attending the meeting was fundamental in helping the Committee to understand the situation with regard to implementation of the Convention on the Rights of the Child in each particular country. Interorganizational cooperation should not be hampered by bureaucracy and the existing momentum must be further strengthened. The UNHCR guidelines for protection and care dated from 1994. Had any UNHCR documents dealing with the problems of girls been produced since that date? That was particularly important within the framework of the recent Beijing Conference. It would be useful if the UNICEF representative could furnish the Committee with an up-to-date list of publications produced by the Innocenti Centre. The country fact sheets produced by WHO provided instant information. However, it should be explained how the figures they contained were to be interpreted.

53. The two issues of child labour and street children could usefully be addressed together and all the problems presented by those phenomena should be dealt with on a broad multisectoral basis. Finally, the non-governmental organizations were important players within the Committee. It was important to take advantage of the opportunity for cooperation which they offered.

54. Mr. KOLOSOV emphasized the need for a clear and detailed definition of the child. When presenting their national reports, States parties sometimes drew attention to the absence of a single definition of the child applying in relation to marriage, conscription and schooling. Some countries did not associate the age of majority with the notion of full legal capacity. Moreover, questions arose in relation to emancipation. It was not clear whether persons attaining the age of 18 ceased to be children or were no longer protected under international law. The concept of limited legal capacity was not always understood in relation to children's rights.

55. Another terminological problem was the difficulty of defining the different categories identified as children, adolescents, minors and juveniles. With regard to child labour, he wondered whether it was necessary to eliminate work by all persons under the age of 18. He found the term "child labour" inappropriate.

56. Paragraph 24 of the Committee's general guidelines on periodic reports (CRC/C/58) did not contain a complete list of all the legal ages requiring definition. He believed that there was a general tendency to think that the term "children" included only persons under the age of 15.

57. Ms. OUEDRAOGO welcomed the contribution made by the non-governmental organizations to the Committee's work. She asked how coordination among them was ensured in the field. Were regular consultative meetings held in particular countries?

58. Ms. MBOI associated herself with Mr. Kolosov's remarks and said that the time had come to specify what was meant by the term "child". The Committee was interested not only in individual phenomena, but also in general trends, knowledge of which would help in determining whether there had been an improvement in the situation of children. Some of the data provided by WHO were outdated; for example, those from Bangladesh related to the period 1980-1981. More up-to-date information would be greatly appreciated.

59. The CHAIRPERSON invited the representatives of United Nations bodies and specialized agencies to respond to the questions asked by members of the Committee.

60. Ms. MILLER (United Nations Children's Fund) said that there was much coordination between the different sectors operating in the field. For example, UNICEF worked in close cooperation with WHO on health issues and with ILO on child labour concerns in Bangladesh. It was therefore important to decide how the different sectors could best combine their efforts in the interest of implementing the Convention on the Rights of the Child. The system of reporting by States parties provided the opportunity for further interorganizational cooperation. The NGOs had been encouraged to support the United Nations agencies in their work by assisting in the identification of priority issues and helping Governments to take action in response to the Committee's recommendations.

61. In the past, UNICEF's field offices had provided information mainly in relation to small children. Now, however, they were instructed to furnish information on children of all ages, i.e. up to the age of 18. Previously,

health matters had been devoted to those under five and educational issues to primary schoolchildren. Increasingly, the situation of older children was being examined.

62. Mr. ROBINSON (World Health Organization) said that the problems that had arisen had been concerned, not with measuring psychosocial development, but rather with deciding what to do about it. That was the continuing task of the social scientists who were seeking to improve the situation of children. In that area, close cooperation with UNICEF was essential.

63. On the question of community and family practices, he said that WHO's work was focused mainly on smaller children, because the major concern was the factors that caused the highest rates of mortality and physical morbidity. However, with the advent of HIV, the work was being extended to older age groups.

64. It was clear that the level of understanding of data provided by WHO should be such that people could benefit from it. He acknowledged that the data furnished by WHO were often not current. However, as an intergovernmental organization, WHO could discuss but could not publish information originating from an NGO source which conflicted with that provided by a national Government.

65. Ms. MARSHALL (Office of the United Nations High Commissioner for Refugees) said that UNHCR had a dual mandate. It was responsible both for providing international protection for refugees and for finding durable solutions to their problems. Its legal mandate referred to refugees but not to internally displaced persons. However, in specific situations work was undertaken on behalf of groups in the latter category. Problems arose where refugees returning to their country of origin lived in the same areas as internally displaced persons.

66. UNHCR did not only provide food and shelter. It protected the basic human rights of refugees by providing basic medical care, special assistance to women and children and legal documentation so that refugees could live in their country of asylum.

67. The High Commissioner was very concerned with the prevention of refugee flows. UNHCR's work was being extended to include assistance to refugees after their return home and helping countries to ensure that they had the necessary resources to deal with the problems faced by returnees. Such capacity building amounted to development work and was often carried out in conjunction with UNDP and other agencies.

68. With regard to the publication of material concerning girls, she said that documentation had been produced by UNHCR on reproductive health for women, female genital mutilation and guidelines on sexual violence.

69. Coordination of activities between UNHCR and the other agencies depended on the particular countries where operations were taking place. UNHCR's Senior Coordinator for Refugee Children was especially concerned about the issue of the definition of the child and about the different problems of adolescence.

70. Mr. PICARD (International Labour Organization) said that there was no universally accepted definition of child labour. However, on the basis of the existing international instruments, it could be defined as work done by a person who had not reached the minimum age set by law, whatever that person's professional status, which was likely to harm the physical and mental development of the person concerned.

71. All children could be said to work when at school, although such work was not immediately productive. The international instruments did not ban all work by young people. The pivotal age was 15 years. There was also the possibility of light work for those between the ages of 12 and 13. In developing countries children could work from the age of 14 and the minimum age for dangerous work was 18 years. In other words, there was a series of minimum ages, depending on the work undertaken.

72. A distinction might be made between child labour and normal family duties. Such duties were not yet covered by the ILO Conventions or the Convention on the Rights of the Child. It was necessary to define them, however, and the concept of such obligations should be further developed. A third area was that of small occasional tasks done by children, such as babysitting and delivering milk and newspapers. Such activities were unlikely to be covered by international instruments.

73. A definition of the child must be achieved in terms of different ages for different activities, be they work or education.

74. It was to be hoped that the Committee would participate in the Conference to be held in Oslo in 1998, at which such matters could be considered. The views of the NGOs concerning future international instruments should be ascertained.

75. Regular consultation took place among the different bodies working in the field and, increasingly, such consultation took account of the Convention on the Rights of the Child. For example, a meeting held in Abidjan with UNICEF and NGO participation had examined how the activities of the various agencies could be organized around the Convention.

76. Ms. THEYTAZ-BERGMAN (NGO Group for the Convention on the Rights of the Child) said that there were three prerequisites for membership of the NGO Group. It was necessary to be an international non-governmental organization, in principle to have consultative status with the Economic and Social Council of the United Nations, and to be directly involved in the implementation of the Convention. Those criteria were too vague, however, and were currently under review.

77. Further coordination with United Nations agencies was essential. NGO subgroups served as focal points in the main areas of concern; for example, individual group members focused on girl children and poverty. Also, joint statements were made by the Group to United Nations bodies. They dealt more with mechanisms than with the situation prevailing in individual countries. Recent statements included one of support for the draft optional protocol on involvement of children in armed conflict and one of opposition to the draft optional protocol on sexual exploitation.

78. The CHAIRPERSON said that links with other bodies had been instituted since the Committee's establishment, because of the provision for such cooperation in article 45 of the Convention and also because of the interest of members of those bodies. Although in certain countries the concept of coordination of activities was new, the frequent requests for such coordination from many countries and organizations augured well for the future.

The meeting rose at 1 p.m.